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DOC #:  
DATE FILED: 05/03/2019

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PHOENIX LIGHT SF LTD. *et al.*,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 14-cv-10102-KPF-SN

ECF Case

**STIPULATION AND ORDER MODIFYING SCHEDULE**

WHEREAS, on October 29, 2018, plaintiff Phoenix Light SF LTD and the other plaintiffs (collectively, "Phoenix Light") served initial expert reports on Wells Fargo in accordance with the Scheduling Order and Civil Case Management Plan with respect the above-captioned matter [ECF 460] ("Current Scheduling Order");

WHEREAS, on November 5, 2018, Phoenix Light made certain expert disclosures in accordance with the terms of the Stipulation and Order governing expert discovery in this action [ECF 469];

WHEREAS, on April 12, 2019, Phoenix Light served amended reports and supplemental reliance materials for two of its experts, Ms. Ingrid Beckles and Dr. Bruce Spencer;

WHEREAS, on April 16, 2019, Phoenix Light served an amended report and supplemental reliance materials for a third expert, Dr. Karl Snow;

WHEREAS, under the Current Scheduling Order Wells Fargo is required to serve its rebuttal expert reports on June 20, 2019;

WHEREAS, the Current Scheduling Order, as applicable in *Commerzbank AG v. Wells Fargo Bank N.A.*, Case No. 1:15-cv-10033-KPF-SN (SDNY) (the “Commerzbank Action”), provides Wells Fargo until July 25, 2019 to serve its expert rebuttal reports; and

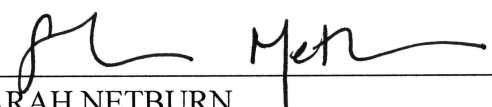
WHEREAS, the parties have met and conferred in good faith and have agreed on a mutually acceptable modification of the deadlines in this Action to align them with certain deadlines in the Commerzbank Action so that Wells Fargo may have additional time to evaluate and address the amended expert reports and disclosures that Phoenix Light recently served;

IT IS NOW HEREBY STIPULATED AND AGREED AMONG THE PARTIES that, good cause exists to modify the Current Scheduling Order and, therefore, subject to the Court’s approval, the Current Scheduling Order shall be amended as follows:

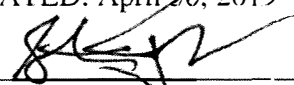
1. Wells Fargo’s and Phoenix Light’s time to serve any and all rebuttal expert reports shall be extended until July 25, 2019 (which is the date such reports are currently due in the Commerzbank Action).
2. Wells Fargo’s and Phoenix Light’s deadline to reply to any of the expert rebuttal reports that the parties serve on July 25, 2019 shall be September 2, 2019.
3. All other dates set forth in the Current Scheduling Order shall not be affected by this Order.

**SO ORDERED.**

May 3, 2019  
New York, New York

  
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SARAH NETBURN  
United States Magistrate Judge

DATED: April 30, 2019

  
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